

label failed to bear a statement of the quantity and proportion of acetophenetidin contained in the article. The Elco Asthma Remedy was alleged to be misbranded further in that the statement, "Contains no \* \* \* harmful \* \* \* Drugs," borne on the bottle label, was false and misleading since it represented that the article contained no harmful drugs; whereas it contained harmful drugs, namely, potassium iodide and ephedrine sulphate.

On November 8, 1937, the defendants entered pleas of nolo contendere, were adjudged guilty, and were each fined \$50. Costs also were imposed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

**28369. Misbranding of Kroup Monia Syrup, Kroup Monia Salve, Red Oil Liniment, and Distilled Spirit Turpentine. U. S. v. W. D. Taylor & Co., Inc., and Clemmie L. Carmichael. Pleas of guilty. Corporation fined \$25. Clemmie L. Carmichael placed on probation for 3 years. (F. & D. No. 39770. Sample Nos. 13603-C, 34516-C, 34531-C, 34532-C, 34941-C.)**

This case involved Kroup Monia Syrup the labeling of which contained false and fraudulent curative or therapeutic claims and an incorrect declaration of chloroform; Kroup Monia Salve and Red Oil Liniment the labeling of which contained false and fraudulent curative or therapeutic claims; and Distilled Spirit Turpentine which fell below the pharmacopoeial standard.

On January 20, 1938, the United States attorney for the Northern District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the district court an information against W. D. Taylor & Co., Inc., Bessemer, Ala., and Clemmie L. Carmichael, an officer of the corporation, alleging shipment by said defendants in violation of the Food and Drugs Act as amended, on or about September 15, 1936, from the State of Alabama into the State of Mississippi of a quantity of Kroup Monia Syrup; and on or about January 9, February 13, and February 19, 1937, from the State of Alabama into the State of Florida of quantities of Kroup Monia Syrup, Kroup Monia Salve, Red Oil Liniment, and Distilled Spirit Turpentine which were misbranded. The turpentine was labeled in part: "Packed By W. D. Taylor & Co. Mfg. Chemists Bessemer, Alabama." The remaining products were labeled in part: "Manufactured by W. D. Taylor & Co. The Home of Taylor Made Remedies Bessemer, Ala."

Analyses showed that the Kroup Monia Syrup consisted essentially of sugar, water, ammonium chloride, glycerin, alcohol, chloroform (1.3 minims and 1.8 minims per fluid ounce, respectively), menthol, and extracts of plant materials including pine; that the Kroup Monia Salve consisted essentially of petrolatum, small quantities of eucalyptol, menthol, thymol, camphor, and oil of turpentine; that the Red Oil Liniment consisted essentially of kerosene, capsicum, and volatile oils including oil of turpentine and oil of sassafras; and that the Distilled Spirit Turpentine was steam-distilled wood turpentine.

The articles with the exception of the Distilled Spirit Turpentine, were alleged to be misbranded in that certain statements in the labeling regarding their therapeutic or curative effects were false and fraudulent in the following respects: The earlier shipment of the Kroup Monia Syrup was represented to be effective as a treatment for the relief of hoarseness and similar bronchial irritations, bronchial irritations, croup, whooping cough, and similar diseases of the respiratory organs. The later shipments of Kroup Monia Syrup were alleged to be effective as a treatment for hoarseness or similar bronchial irritations; and effective as an aid in the relief of hoarseness and bronchial irritations. The Kroup Monia Salve was represented to be effective to relieve inflammation and congestion, and diseases arising from the lungs, throat, and bronchial tubes; effective as a treatment, remedy, and cure for croup, pneumonia, bronchial troubles, catarrh, piles, burns, and inflamed surfaces; and to be penetrating and healing. The Red Oil Liniment was represented to be effective as a treatment for painful affections of the nerve, bone, and muscular system, and for the relief of stiffness of muscles, stiff neck, and swellings; and effective as a treatment, remedy, and cure for stiff joints, muscular rheumatism, lumbago, stiff neck, neuralgia, swellings, cramps in the stomach, and stomach cramps. The Kroup Monia Syrup was alleged to be misbranded further in that the statements (carton) "4 Minims Chloroform to Ounce" and (bottle) "4 Mins. Chloroform to oz." were false and misleading in that they represented that each fluid ounce of the article contained 4 minims of chloroform; whereas each fluid ounce contained less than 4 minims of chloroform, samples from 2 shipments having been found to contain 1.3 minims and 1.8 minims of chloroform per fluid ounce, respectively. The Distilled Spirit Turpentine was alleged to be misbranded in that the statement on the label, "Spirit Turpentine," was false and

misleading in that it represented that the article was spirits of turpentine which conformed to the standard laid down in the United States Pharmacopoeia; whereas it was not spirits of turpentine which conformed to the said standard.

On January 20, 1938, pleas of guilty were entered on behalf of the defendants and the court sentenced the corporation to pay a fine of \$25, and placed Clemmie L. Carmichael on 3 years' probation.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

**28370. Misbranding of Geno Inhalant. U. S. v. Walter F. Williams and James A. Gregory (Geno Remedy Co.).** Pleas of guilty. Fines, \$100 and costs. (F. & D. No. 39771. Sample No. 14592-C.)

This product contained isopropyl alcohol which was not declared.

On November 10, 1937, the United States attorney for the Eastern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Walter F. Williams and James A. Gregory, trading as the Geno Remedy Co., Monticello, Ill., alleging shipment by the said defendant in violation of the Food and Drugs Act, on or about December 26, 1936, from the State of Illinois into the State of Indiana of a quantity of Geno Inhalant which was misbranded. The article was labeled in part: "Made by Geno Remedy Company, Monticello, Illinois."

The article was alleged to be misbranded in that it contained isopropyl alcohol and the label on the package failed to bear a statement of the quantity or proportion of isopropyl alcohol contained therein.

On January 15, 1938, pleas of guilty were entered by the defendants and they were sentenced to pay fines in the total amount of \$100 and costs.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

**28371. Misbranding of Dr. Isaac's Big Jim and Dr. Isaac's "Big Jim" Healing Liquid. U. S. v. Tampa Drug Co., and William G. Allen.** Pleas of nolo contendere. Judgment of guilty. Corporation fined \$25; the individual fined \$10. (F. & D. No. 39774. Sample No. 22744-C.)

The labeling of these products falsely and fraudulently represented their curative and therapeutic effects.

On October 23, 1937, the United States attorney for the Southern District of Florida, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Tampa Drug Co., a corporation, Tampa, Fla., and William G. Allen, an officer of the corporation, alleging shipment by the said defendants in violation of the Food and Drugs Act as amended, on or about March 26, 1936, from the State of Florida into the State of Georgia of a number of cartons, each containing a bottle of Dr. Isaac's Big Jim and a bottle of Dr. Isaac's "Big Jim" Healing Liquid, which products were misbranded. The articles were labeled in part: "Tampa Drug Co. Tampa, Fla."

Analyses of samples showed that Doctor Isaac's Big Jim consisted of a dilute hydroalcoholic solution of potassium iodide and some vegetable extractions; and that Dr. Isaac's "Big Jim" Healing Liquid consisted essentially of an aqueous solution of bichloride of mercury.

The articles were alleged to be misbranded in that the labels bore false and fraudulent statements, designs, and devices regarding their respective therapeutic and curative effectiveness in the treatment of impure blood, boils, sores, eruptions, and rheumatism; and as a healing liquid for "sore" and to keep the parts affected by the "sore" in a healthy condition.

On November 15, 1937, the defendants having entered pleas of nolo contendere, they were adjudged guilty and were sentenced to pay fines in the total amount of \$35.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

**28372. Misbranding of Sana-Sal. U. S. v. 98 Packages of Sana-Sal.** Default decree of condemnation and destruction. (F. & D. No. 39997. Sample No. 36706-C.)

The labeling of this product bore false and fraudulent representations regarding its therapeutic and curative effects.

On July 21, 1937, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 98 packages of Sana-Sal at Cleveland, Ohio, alleging that the article had been shipped in interstate commerce on or about June 15, 1937, from New York, N. Y., by the Sana-Sal